
Judiciary Committee

HB 1029

Title: An act relating to establishing the position and authority of warrant officers in first-class cities to enforce court orders and outstanding warrants.

Brief Description: Establishing the position and authority of warrant officers in first-class cities to enforce court orders and outstanding warrants.

Sponsors: Representative Appleton.

Brief Summary of Bill

- Authorizes first class cities to establish warrant officers within city police departments.
- Requires all criminal and civil process issuing out of any Washington state court to be directed to the chief of police of the city served by the court, the sheriff of the county in which the court is held, and/or warrant officers.
- Restates requirements regarding execution of process of municipal courts in cities with populations of over 400,000.

Hearing Date: 1/13/15

Staff: Omeara Harrington (786-7136).

Background:

Warrant Officers.

Cities with a population of over 400,000 are authorized to maintain warrant officers within the city police department. Warrant officers are limited-commission officers vested only with authority to make arrests authorized by warrants and other arrests as authorized by ordinance. The number and qualifications of warrant officers are fixed by ordinance and compensation is provided by the city. Warrant officers are not entitled to benefits through the Washington Law Enforcement Officers' and Firefighters' Retirement System on the basis of service as a warrant officer.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Execution of Process Issued by Municipal Courts.

All criminal and civil process issuing from a municipal court of a city with a population greater than 400,000 must be directed to the following persons, who must execute that process according to the law of any county of the state:

- the chief of police of the city served by the court; and/or
- the sheriff of the county in which the court is held; and/or
- the warrant officers.

No process of a municipal court of a city with a population greater than 400,000 may be executed outside the corporate limits of the city served by the court unless the person authorized by the process first contacts the applicable law enforcement agency in the jurisdiction of service. A court issuing an arrest warrant that is executed in another city or county must pay the cost of arrest or service of process, as well as the cost of returning the defendant to the city.

City Classification.

Municipal governments in Washington are classified according to their population at the time of organization or reorganization. A first class city is a city with a population of 10,000 or more at the time of organization or reorganization that has adopted a charter. There are 10 first class cities in Washington: Aberdeen, Bellingham, Bremerton, Everett, Seattle, Spokane, Richland, Tacoma, Vancouver, and Yakima.

Summary of Bill:

First class cities may create warrant officer positions within their city police departments pursuant to the same provisions as apply to warrant officer positions in cities of over 400,000 people. All civil and criminal process issuing from any Washington state court must be directed to the city chief of police, the county sheriff, and/or the warrant officers.

Current statutory provisions establishing the following are restated: (1) No process of a municipal court of a city with a population greater than 400,000 may be executed outside the corporate limits of that city unless the person authorized by the process first contacts the applicable law enforcement agency in the jurisdiction of service; and (2) A court issuing an arrest warrant that is executed in another city or county must pay the cost of arrest or service of process, as well as the cost of returning the defendant to the city.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.